

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USDC Docket Number : 05-cv-11732

Christopher A. Moore

v.

Kindred Healthcare, et al

CLERK'S CERTIFICATE

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents numbered:

1-18

and contained in I NOA #18 Volume(s) are the original or electronically filed pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 8/30/2007.

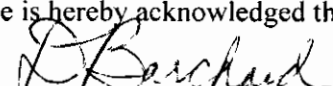
In testimony whereof, I hereunto set my hand and affix the seal of this Court on October 15, 2007.

Sarah A Thornton, Clerk of Court

By: 

Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 10/15/07


Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:05-cv-11732-MLW**

Moore v. Kindred Healthcare Operating Inc. et al
Assigned to: Chief Judge Mark L. Wolf
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 08/04/2005
Date Terminated: 08/01/2007
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Christohper A. Moore

represented by **Christohper A. Moore**
141 Intervale Street
Boston, MA 02121
PRO SE

V.

Defendant

Kindred Healthcare Operating Inc.

Defendant

Edward L. Kuntz

Defendant

Dr. James Rodgers

Defendant

M.D. Murali Ramadurai

Defendant

Mary Walker Howard

Defendant

Kimberly Moody

Defendant

Joseph Francis

Defendant

Dale Mitchell

Defendant

**Visiting Nurse Association of Boston,
Inc.**

Defendant

Joanne Handy

Defendant

Marisa Hosmer

Defendant

Virginia Tritschler

Defendant

Federal Management Co., Inc.

Defendant

Mary Gavin

Defendant

Allen Perkins

Defendant

Bette Anderson Fish

Defendant





Gillian Gattie

Defendant

Stephen Wichins

Defendant

Richard Henken

Date Filed	#	Docket Text
08/05/2005	 1	MOTION for Leave to Proceed in forma pauperis by Christohper A. Moore.(Jenness, Susan) (Entered: 08/22/2005)
08/05/2005	 2	COMPLAINT against Dale Mitchell, Visiting Nurse Association of Boston, Inc., Joanne Handy, Marisa Hosmer, Virginia Tritschler, Federal Management Co., Inc., Mary Gavin, Allen Perkins, Bette Anderson Fish, Gillian Gattie, Stephen Wichins, Richard Henken, Kindred Healthcare Operating Inc., Edward L. Kuntz, James Rodgers, Murali Ramadurai, Mary Walker Howard, Kimberly Moody, Joseph Francis Filing fee: \$ 0.00, receipt number 0.00, filed by Christohper A. Moore. (Attachments: # 1 Civil Cover Sheet)(Jenness, Susan) (Entered: 08/22/2005)
08/05/2005		If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Alexander. (Jenness, Susan) (Entered: 08/22/2005)
10/26/2005		Judge Reginald C. Lindsay : ORDER entered denying 1 Motion for

		Leave to Proceed in forma pauperis. (Lindsay, Reginald) (Entered: 10/26/2005)
11/01/2005	<u>3</u>	Case Reassigned to Judge Mark L. Wolf. Judge Reginald C. Lindsay no longer assigned to the case. Counsel are directed to the Court's Standing Orders re: Electronic Case Filing. (York, Steve) (Entered: 11/01/2005)
01/26/2006	<u>4</u>	Judge Mark L. Wolf : ORDER entered. MEMORANDUM AND ORDER denying without prejudice Mr. Moore's fee-waiver application. If Mr. Moore wishes to proceed with this action, he shall, within 35 days of the date of this Order. (1) submit a new, fully completed application to proceed without prepayment of fees and (2) submit a detailed statement concerning the Estate. If Mr. Moore fails to submit a new application or detailed statement concerning the Estate, this action will be dismissed without prejudice. The Clerk mailed Mr. Moore a new Application to Proceed Without Prepayment of Fees with a copy of this Memorandum and Order.(PSSA, 4) (Entered: 01/30/2006)
01/30/2006	<u>5</u>	Set Deadlines/Hearings: Mr. Moore to either pay the filing fee or file a new fee-waiver application and shall also file a detailed statement concerning the Estate of Mary Lou Moore by 3/2/2006. (PSSA, 4) (Entered: 01/30/2006)
03/08/2006	<u>5</u>	Judge Mark L. Wolf : ORDER entered. ORDER DISMISSING CASE (O'Leary, Dennis) (Entered: 03/08/2006)
03/08/2006	<u>6</u>	Judge Mark L. Wolf : ORDER entered. JUDGMENT in favor of defendants against plaintiff(O'Leary, Dennis) (Entered: 03/08/2006)
03/13/2006	<u>7</u>	MOTION for Reconsideration re 5 Order Dismissing Case, 6 Judgment by Christohper A. Moore. (Attachments: # <u>1</u> Land Court Finding# 2 Final Notice and Demand from Boston Water and Sewer Commission)(Boyce, Kathy) (Entered: 03/16/2006)
03/13/2006	<u>8</u>	MOTION for Leave to Proceed in forma pauperis, by Christohper A. Moore, FILED.(Boyce, Kathy) (Entered: 03/16/2006)
03/13/2006	<u>9</u>	Response by Christohper A. Moore to <u>4</u> Memorandum & ORDER, FILED. (Boyce, Kathy) (Entered: 03/16/2006)
05/22/2006	<u>10</u>	Judge Mark L. Wolf : ORDER entered granting <u>7</u> Motion for Reconsideration, granting <u>8</u> Motion for Leave to Proceed in forma pauperis (O'Leary, Dennis) Additional attachment(s) added on 5/22/2006 (O'Leary, Dennis). (Entered: 05/22/2006)
05/22/2006	<u>11</u>	Case Reopened (O'Leary, Dennis) (Entered: 05/22/2006)
06/23/2006	<u>11</u>	MOTION for Extension of Time for appointment of counsel, by Christohper A. Moore. FILED.(Boyce, Kathy) (Entered: 06/30/2006)
07/19/2006	<u>12</u>	Set/Reset Deadlines: As ordered in CA05-10853 Moore et al v 10 Temple Place et al. plaintiff shall cause counsel to appear for the Estate by July 30, 2006, or its claims will be dismissed. (O'Leary, Dennis) (Entered: 07/19/2006)

03/09/2007	<u>12</u>	Judge Mark L. Wolf : ORDER entered finding as moot <u>11</u> Motion for Extension of Time. Accordingly, it is hereby ORDERED that:1. Plaintiff's motion for an additional forty-five days to cause counsel to appear for the Estate, (Docket No. 11), is MOOT.2. The claims of the Mary Lou Moore Estate are DISMISSED without prejudice.3. Moore shall, by May 7, 2007, effect service upon the defendants and file the returns of service with the court. Failure to comply will result in dismissal. (O'Leary, Dennis) (Entered: 03/09/2007)
05/30/2007	<u>13</u>	MOTION to Appoint Counsel by Christohper A. Moore, FILED.(Boyce, Kathy) (Entered: 05/30/2007)
06/23/2007	<u>14</u>	Judge Mark L. Wolf : ORDER entered denying <u>13</u> Motion to Appoint Counsel. Accordingly, it is hereby ORDERED that Plaintiff's Motion For Appointment Of A Lawyer, (Docket No. 13), is DENIED without prejudice. (O'Leary, Dennis) (Entered: 06/25/2007)
06/23/2007	<u>15</u>	Judge Mark L. Wolf : ORDER entered. The complaint in the above-entitled action was filed on April 22, 2005. As of this date, the plaintiff has not filed proof of service of the summons and complaint to the remaining parties as required by Rule 4(m) of the Federal Rules of Civil Procedure and Local Rule 4.1(b) of the Local Rules of this Court. Accordingly, it is hereby ORDERED that, pursuant to Rule 4 (m), Fed. R. Civ. P., and Local Rule 4.1(b), the above-entitled action will be dismissed, without prejudice, in twenty (20) days from the date of this Order unless a proof of service is filed or good cause shown why service has not been made.(O'Leary, Dennis) (Entered: 06/25/2007)
08/01/2007	<u>16</u>	Judge Mark L. Wolf : ORDER entered. ORDER DISMISSING CASE (O'Leary, Dennis) (Entered: 08/09/2007)
08/09/2007	<u>17</u>	Judge Mark L. Wolf : ORDER entered. JUDGMENT in favor of DEFENDANTS against PLAINTIFF (O'Leary, Dennis) (Entered: 08/09/2007)
08/30/2007	<u>18</u>	NOTICE OF APPEAL as to <u>16</u> Order Dismissing Case by Christohper A. Moore NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 9/19/2007. (Boyce, Kathy) (Entered: 09/13/2007)
09/07/2007	<u>19</u>	NOTICE OF APPEAL as to <u>16</u> Order Dismissing Case by Christohper A. Moore NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 9/27/2007. (Boyce, Kathy) (Entered: 09/13/2007)